United Nations CCPR/C/SR.3097

International Covenant on Civil and Political Rights

Distr.: General
3 November 2014
English
Original: French

**Human Rights Committee**
**112th session**

**Summary record of the first part (public)* of the 3097th meeting**
Held at the Palais Wilson, Geneva, on Tuesday, 7 October 2014, at 10 a.m.

*Chairperson*: Sir Nigel Rodley

## Contents

Opening of the session by the Director of the Human Rights Treaty Division

Adoption of the agenda

Organizational and other matters, including the adoption of the report of the Working Group on Communications.

* There was no summary record for the second part (closed) of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Section, room E.5108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.14-18249 (E) 311014 031114

*1418249*

Please recycle

*The meeting was called to order at 10.05 a.m.*

**Opening of the session by the Director of the Human Rights Treaties Division**

1. **Mr. Salama** (Director of the Human Rights Treaties Division) declared open the one hundred and twelfth session of the Human Rights Committee and commended the invaluable contribution to the Committee's work made by Ms. Chanet, Mr. Flinterman, Mr. Kälin, Ms. Majodina, Mr. Neuman and Mr. Zlătescu, the Committee members whose mandates would be expiring at the end of the year.

2. He recalled that, in its resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, the General Assembly had allocated additional weeks of meeting time to the committees with the aim of tackling the backlog of reports and communications pending consideration and had suggested a number of ways of further harmonizing the treaty body system and making it more accessible. In that regard, the Human Rights Committee had already taken an important step by suggesting that the States parties should submit their reports according to the simplified reporting procedure, and it would use the extra week of meeting time to deal with some 50 individual communications, which would help reduce the outstanding backlog. In addition, aware of the problem of acts of intimidation and reprisals directed against individuals or groups that contributed to their work, the treaty bodies had responded to another of the proposals contained in General Assembly resolution 68/268 by appointing rapporteurs on reprisals, and in order to harmonize their approach the treaty body chairpersons had also decided to draw up a common policy.

3. He then drew the Committee's attention to the publication by the Office of the United Nations High Commissioner for Human Rights, mandated by a General Assembly resolution, of an initial report on the protection and promotion of the right to privacy in the context of the surveillance and interception of digital communications and the collection of personal data, entitled *The right to privacy in the digital age* (A/HRC/27/37). The work of the Committee on the subject, particularly its jurisprudence on the extraterritorial responsibility of States, was highlighted in the report. As the right to privacy was one of the rights protected under the International Covenant on Civil and Political Rights (ICCPR), the Committee was particularly well placed to discuss such issues with the States parties, to assess the extent to which they respected the relevant provisions of the Covenant and to make recommendations regarding any necessary changes. Questions such as mass surveillance were appearing increasingly frequently on the lists of issues and in the concluding observations adopted by the treaty bodies.

4. Lastly, he said that 2014 marked the twenty-fifth anniversary of the adoption of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Referring to a recent report of the Secretary-General on the question of the death penalty (A/HRC/27/23), he said that around 160 States had abolished or introduced a moratorium on the death penalty, either in law or in practice, or had suspended executions. Notwithstanding that trend towards abolition, many concerns remained regarding respect for international human rights norms and standards in States which still imposed the death penalty, and many cases had shown that, even in the most robust of legal systems, women and men had been condemned to death although proven innocent, which was intolerable. He urged the Committee, in its role as custodian of the Optional Protocol, to encourage as many States as possible to ratify that instrument before the end of the current year.

5. *Mr. Salama, Director of the Human Rights Treaties Division, withdrew.*

6. **The Chairperson** said that, before moving on to discuss the next agenda item, he wished to mention the situation in Iraq and Syria, where a group of people were following

policies that were totally opposed to universal values and international standards in the field of human rights. Those who belonged to the group claimed to be founding a State and glorified murder, torture and the torturing to death of innocent people, helpers and even journalists, who were the eyes of the international community. They claimed they were acting in the name of a great religion, which they in fact sullied. He believed that the case in question was clearly covered by the commitments contained in the 2005 World Summit Outcome (A/RES/60/1) regarding the duty to protect. At the same time, earlier conflicts and the related human rights violations were continuing, including in Syria and in the context of the Israeli-Palestinian conflict, in the Great Lakes region of Africa and, most regrettably, in Eastern Europe, where established borders had recently been challenged through the use of force.

**Adoption of the agenda** (CCPR/C/112/1)

7. *The agenda was adopted.*

**Organizational and other matters, including the adoption of the report of the Working Group on Communications**

8. **Mr. Ben Achour** (Chairperson-Rapporteur of the Working Group on Communications) recalled that the members of the Working Group were Mr. Bouzid, Ms. Chanet, Mr. Flinterman, Mr. Neuman, Mr. Rodríguez-Rescia, Ms. Waterval and himself. The Working Group had met from 29 September to 3 October 2014 and had considered the 45 communications submitted to it by the Secretariat. He recommended that the Committee should find 6 decisions of inadmissibility and 1 decision of admissibility, and should consider the merits of the other 38 communications.

9. The Working Group had regretted that the texts of several communications had not been translated into the working languages of the Committee. Having discussed recommendations on reparations when considering several cases, the members of the Working Group felt that it was important that the Committee should hold a plenary discussion on the issue of reparations during the current session; preferably before it began consideration of individual communications.

10. **The Chairperson** congratulated the Working Group on Communications on its work. He added that the Committee would need to mobilize resources and define priorities if it was to resolve the problem of translations.

11. *The report of the Working Group on Communications was adopted.*

*The discussion covered in the summary record ended at 10.25 a.m.*